REMARKS

In response to the Office Action dated July 20, 2006, Applicant respectfully requests reconsideration. Claims 1-39 and 41-47 were previously pending in this application. By this amendment, Applicant is amending claims 1, 5-11, 14, 18-20, 23-24, 27, 31-33, 36-37, 41 and 45-46. No new claims have been added. Therefore, claims 1-39 and 41-47 are pending for examination with claims 1, 14, 27 and 41 being independent claims. No new matter has been added.

Interview Summary

Applicants thank the Examiner for the courtesy of a telephone interview on September 20, 2006. At the interview, the Chen and Conner references were discussed. Proposed amendments to the claims were also discussed.

The claim amendments and arguments presented herein may serve as a further summary of the interview.

Summary of Application and References Cited

As an aid to the Examiner, the Applicants provide the following brief summary of the present application and the Chen and Conner references. This summary is not intended as a substitute for the Examiner's reading of the application and references in their entireties. Nor is this summary intended to characterize the claimed invention or any terms used in the claims, which are discussed individually below.

Briefly, the present application relates to management of a peer-to-peer collaboration system. Though the clients of the peer-to-peer collaboration system can communicate without interacting with a server, the application describes instances in which it may be desirable to use a management server to centralize the collection or distribution of management information. As a specific example, management information may be obtained from monitoring operation of the peer-to-peer collaboration of the systems (paragraphs 34-44.) Examples of monitoring include tracking software usage (paragraph 35), collecting statistics (paragraph 36) or tracking system events (paragraphs 37-39). As another example, management information may be distributed to synchronize the clients in the peer-to-peer collaboration system to information on the

management server. Examples of information that may be synchronized are device policies and licenses (paragraphs 28-33).

To allow the management server to identify users or devices that are part of the collaboration session, an injectible identity is used. The injectible identity can define a managed user and also how the collaborative client software for that user should communicate with the management server (paragraph 22). This injectible identity, because it defines a managed entity, allows an exchange of management information between the collaborative software and management server.

In contrast, Chen describes a virtual private network (VPN). As described in Chen, both client/server virtual private networks and peer-to-peer virtual private networks were known. However, these types were in practice mutually exclusive (column 1, line 66). Chen proposes a solution in which both client/server virtual private network communications and peer-to-peer communications can occur on the same device (column 6, lines 2-13). Chen describes an approach in which a shim (50) can divert peer-to-peer communications to authentication client software and then to an authorization server without modification of the peer-to-peer application software (column 9, line 65 through column 10, line 16).

The authentication server mediates peer-to-peer authentication, which enables direct peer-to-peer communication (column 10, lines 17-26). The authentication server may provide session keys to a peer application (column 10, lines 13-14). However, the authentication server does not monitor the peer or provide license or policy information to the peer.

Conner relates to a different type of system. Conner describes an application hosting service. An application service provider obtains copies of software applications and stores them in a software warehouse. The application service provider negotiates contracts with application providers, allowing the application service provider to make the software applications available to users. The users make agreements with the application service provider to obtain access to the applications (see, for example, column 2, line 53 through column 3, line 11), which may be reflected in one or more service-level agreements (SLAs) (column 10, lines 47-51).

Rejections under 35 U.S.C. §112

The Office Action rejected claims 1, 14, 27, and 41 under 35 U.S.C. 112, first paragraph, as failing to comply with the Written Description requirement.

The Examiner objects to the term "shared private space" as used in the claims. During the interview, the Examiner clarified the rejection by explaining that "shared private space" and "shared space" both appear in the application. Accordingly, applicants agreed to amend the claims to recite a "shared space," which should overcome this rejection.

Rejections Under 35 U.S.C. §103

The Office Action rejected all pending claims under 35 U.S.C. 103(a) as being unpatentable over Chen et al. U.S. Patent No. 6,158,011 in view Conner et al U.S. Patent No. 6,816,882. Applicants respectfully disagree that Chen and Conner create a *prima facie* case of obviousness for two reasons. There is no motivation to combine the references, and, even if the references were combined, the claimed invention would not result.

First, there is no motivation to combine the references. Chen relates to a virtual private network (VPN). Though Chen references peer-to-peer communications, the focus of Chen is to modify VPN software to allow both client/server communication and peer-to-peer communications (column 6, lines 2-7). In contrast, Conner describes an application hosting service, in which an application service provider maintains a software warehouse from which a user, who has a contract with the application service provider, can obtain a needed application "on-demand." (See, for example, the Abstract.) There is no reason to incorporate peer-to-peer communications in a system that uses a server to implement a centralized software warehouse. Accordingly, there is no teaching or suggestion to incorporate components used in the application hosting service of Conner into the virtual private network of Chen or *vice versa*.

Second, even if combined, the combination would not teach all elements of the claims. As to claim 1, neither Chen nor Conner describes the claimed step of "using client software operating in a first device and a second device to connect a first user of the first device to a second user of the second device, without the assistance of a server so that collaborative information sent directly between the first user and the second user." The system of Chen uses an authentication server to establish peer-to-peer communication (column 10, lines 17-26). Conner does not teach this missing element. Conner describes a traditional client/server model

(see, for example, FIG. 4 and servers 420 and client 480) in which communication is necessarily established with the assistance of a server.

Further, the references do not show or suggest "sending a request from a management server to the first user to become a managed entity." The Examiner asserts that this limitation is found at column 1, lines 55-67 and col. 2, lines 1-13 of Chen. Those passages describe the asserted invention of Chen, which enables peer-to-peer and client/server communications to co-exist in the same VPN. That passage does not teach or suggest sending a request from a management server. To the contrary, column 8, lines 47-56 describes that the authentication server of Chen interacts with the system when client authentication software intercepts a function call, which is initiated by a poor rather than a server. Thus, there is no teaching or suggestion in Chen of sending a request from a server, as recited in claim 1.

Further, the Examiner asserts that the claimed step of "downloading from the management server to the client software a definition file containing a definition of the managed entity" is described at column 4, lines 1-10 and column 4, lines 20-35. However, column 4, lines 1-10 describes client/server functionality only and does not relate to operation of the device in peer-to-peer collaboration mode. The passage at column 4, lines 30-35 describes establishing session keys for use in direct communications and does not teach downloading a definition file, as recited in claim 1.

The references also do not teach or suggest "associating information in the definition file with the first user identity and device information in the client software operating in the first device in order to create the managed entity," as recited in claim 1. The Examiner asserts this limitation is found at column 4, lines 3-21. However, as is clear from column 4, line 4, the cited passage describes a client/server system and does not describe a peer-to-peer collaboration system.

Further, Applicants have added to claim 1 a limitation reciting "interacting, between the management server and the client software, to exchange management information separately from the collaborative information exchanged between the first user and the second user." There is no reasonable interpretation of the reference that meets **all** limitations of the claim, including this additional limitation, simultaneously. For example, even if the Examiner equates establishing session keys with the claimed step of downloading a definition file from the

management server, there are no other actions described in Chen that equate to the other claimed steps of sending a request or interacting to exchange management information.

Conner does not teach or suggest the claim elements not shown by Chen. The Examiner does not cite any specific passage from Conner that is the basis for a rejection of claim 1 under 35 U.S.C. 103. Conner relates to a client/server system and does not describe a peer-to-peer collaboration system. Therefore, Conner does not teach or suggest the limitations of the claims relating to interaction between a device in a peer-to-peer collaboration system and a management server.

Accordingly, there are multiple limitations of claim 1 that are not taught or suggested by the references.

The Examiner has rejected claims 14, 27 and 41 based on the same passages used to reject claim 1. As stated above in connection with claim 1, Applicants disagree with the Examiner's interpretation of the cited passages in Chen. Therefore, for the reasons given in connection with claim 1, Chen and Conner do not make a *prima facie* case of obviousness against claims 14, 27 and 41.

The remaining claims depend from one of claims 1, 14, 27 or 41. Each of the dependent claims should be allowed for at least the reasons given above.

Accordingly, withdrawal of this rejection is respectfully requested.

CONCLUSION

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Dated: October 18, 2006

Respectfully submitted,

By _____

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